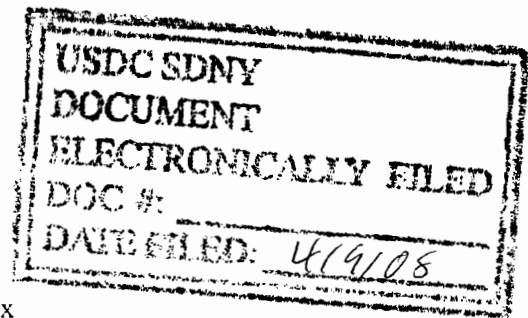


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- X
SHREYA MANDAL, et al.,

Plaintiffs,

-against-

THE CITY OF NEW YORK

Defendant.
----- X

**STIPULATION OF
SETTLEMENT AND
ORDER OF
DISMISSAL**

02 Civ.1234 (WHP)(FM)

WHEREAS, plaintiffs commenced this action by filing a complaint on or about February 15, 2002, alleging that defendants violated plaintiffs' federal civil and state common law rights; and

WHEREAS, plaintiffs filed a Third Amended Complaint on or about July 11, 2002, the parties to which are incorporated by reference herein; and

WHEREAS, on or about November 27, 2006 plaintiffs voluntarily withdrew all claims against individual defendants Rudolph Giuliani, Joseph Esposito, George Grasso, Alan Hoehl, Bernard Kerik and Howard Safir, with prejudice; and

WHEREAS, defendant City, the only remaining defendant, has denied any and all liability arising out of plaintiffs' allegations; and

WHEREAS, the parties now desire to resolve the issues raised in this litigation, without further proceedings and without admitting any fault or liability;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by

and between the undersigned, as follows:

1. The above-referenced action is hereby dismissed as to the plaintiffs John Moran and Ronald William Duncan, Jr. with prejudice, and without costs, expenses, or fees in excess of the amount specified in paragraph "2" below.

2. Defendant City of New York hereby agrees to pay plaintiffs John Moran and Ronald William Duncan, Jr. Fifteen Thousand (\$15,000.00) Dollars each, plus the combined sum of Two Hundred Thousand (\$200,000.00) Dollars, to be paid directly to Jonathan C. Moore and James I. Meyerson, attorneys, for costs, expenses and attorneys' fees, in full satisfaction of all claims, including all claims for costs, expenses and attorneys' fees. In consideration for the payment of these sums, plaintiffs agree to dismissal of all claims against defendant City of New York and to release the defendant and any present or former employees and agents of the City of New York, or any agency thereof, from any and all liability, claims, or rights of action which were or could have been alleged in this action, including claims for costs, expenses and attorneys' fees.

3. Plaintiffs John Moran and Ronald William Duncan, Jr. shall execute and deliver to defendant all documents necessary to effect this settlement, including, without limitation, General Releases based on the terms of paragraphs "2" above and Affidavits of No Liens and/or Affidavits Concerning Liens.

4. Nothing contained herein shall be deemed to be an admission by the defendant that it has in any manner or way violated plaintiffs' rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or

bylaws of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

5. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York or any agency thereof.

6. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York
March 24, 2008

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Assistant Corporation Counsel
Special Federal Litigation Division

SO ORDERED:

Paul M. ...
U.S. J. 4/8/08